



IAP09Rec'd PCT 26 DEC 2007

Atty. Dkt. No. 016782-0355

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Martin JENKINS et al.  
Title: CATALYTIC CONVERTER AND METHOD  
FOR MAKING THE SAME  
Appl. No.: 10/573,443  
International 9/26/2003  
Filing Date:  
371(c) Date: 11/13/06  
Examiner: Unassigned  
Art Unit: Unassigned  
Confirmation 2298  
Number:

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

12/27/2007 L L AND GRA 00000069 10573443

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1540.00 DP

Applicants hereby petition the Commissioner to revive U.S. Application Serial No. 10/573,443 which was unintentionally abandoned for failure to prosecute, in particular, for failure to respond to the Notice to File Missing Requirements mailed February 22, 2007. The requirements of 37 C.F.R. § 1.137(b) are satisfied as follows:

- (1) The required reply to the Notice to File Missing Requirements is submitted herewith.
- (2) The petition fee of \$1,540.00 set forth in 37 C.F.R. § 1.17(m) is submitted herewith.

(3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional is set forth below:

The entire delay in filing the required reply, from the due date for the reply, November 13, 2006 until the filing of the instant petition, which is believed to be grantable, was unintentional.

(4) No terminal disclaimer is required because the present application was filed after June 7, 1995. See 37 C.F.R. 1.137(d).

Applicants believe that the requirements of 37 C.F.R. § 1.137(b) are met, and respectfully urge the Commissioner to revive their application. If there are any questions regarding this submission, the Patent Office is invited to contact the undersigned attorney of record at the telephone number set forth below.

It is believed that no additional fees are required; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0741.

Respectfully submitted,

Date

12/26/07

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 295-4747

Facsimile: (202) 672-5399

By

34371  
*Glenn Law*  
for Martin J. Cosenza  
Attorney for Applicant  
Registration No. 48,892

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER  <b>016782-0355</b>
INTERNATIONAL APPLICATION NO. PCT/EP2003/050662	INTERNATIONAL FILING DATE 9/26/2003	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/573,443
TITLE OF INVENTION CATALYTIC CONVERTER AND METHOD FOR MAKING THE SAME		PRIORITY DATE CLAIMED 9/26/2003
APPLICANT(S) FOR DO/EO/US Martin JENKINS et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol>		

FORM PTO-1390 (Modified)

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) <b>10/573,443</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/050662</b>		ATTORNEY'S DOCKET NUMBER <b>016782-0355</b>	
The following fees have been submitted:					
21. <input type="checkbox"/> Basic national fee		<b>\$310</b>		\$	0.00
22. <input type="checkbox"/> Examination fee				\$	0.00
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100			
All other situations		\$210			
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared and provided to the Office		\$410			
All other situations		\$510		\$	0.00
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>				\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
16	- 100 = 0	/50 = 0	x \$260.00	\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	14 - 20 = 0		x \$ 50.00	\$	0.00
Independent Claims	1 - 3 = 0		x \$ 210.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 370.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	0.00
<b>SUBTOTAL =</b>				\$	0.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	0.00
				Amount to be refunded:	
				charged:	
<p>a. <input type="checkbox"/> A check in the amount of \$ 0.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p>					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP				SIGNATURE	
Customer Number: 22428				Glenn Law	
				NAME	
				34,371	
				REGISTRATION NUMBER	